IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 719 OF 2005

IN

FIRST APPEAL NO. 229 OF 1996

Smt. Hirabai J.Thokale & Ors. ..Applicants
(Ori.Resp. 1 to 7)

versus

The New India Assurance
Company & Ors. ..Respondents
(Ori.Appellants and
Resp. Nos. 8 & 9)

Mr. S. V. Sadavarte for the Applicants.

None for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 21ST OCTOBER,2005

P.C. :

1. Heard learned counsel for the applicants - original respondent Nos.. 1 to 7. Respondent No.1 - original appellant is served. Nobody is present for the respondent No.1 - original appellant.

2. This is an application for the applicants for withdrawal of the amount deposited by the insurance company. Nobody is present for the Insurance Company. No reply is filed. In any case compensation awarded to the applicants is in accident claim. Insurance company has deposited the amount of Rs.2,38,000/-. The appeal is of 1996 and since then the applicants have not received anything towards compensation. Therefore, the applicants are permitted to withdraw Rs.2,00,000/- (Rupees Two lacs) deposited in MACT Pune against security to the satisfaction of the Tribunal, or if the amount is invested in the nationalised bank on reasonable condition.

3. Civil Application disposed of accordingly.

21.10.2005 (D.G. DESHPANDE, J.)